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pation of West Florida by an act that could hardly be defended on any ground save ambition or land hunger ; the first application of the previous question in Congress ; the fiscal policy of Gallatin ; and the Indian campaign of Harrison, with the failures on the Canadian border, — all are told with a spirit and an accuracy that leave little to be desired, and only confirm the excellent impression made by the earlier volumes.

WORTHINGTON CHAUNCEY FORD.

Preussisches Staatsrecht. Von CONRAD BORNHAK. Dritter Band. Freiburg i. B., J. C. B. Mohr, 1890. — 710 pp.

This volume finishes the work on the public law of Prussia begun by Dr. Bornhak in 1888. The first of the three volumes of which the work consists is devoted to constitutional law in the sense given to it by German jurists ; the other two volumes to administrative law. These are published separately under the title of *Preussisches Verwaltungsrecht*. The first two volumes have already been noticed in the *POLITICAL SCIENCE QUARTERLY*. It remains only to speak of the third volume which has just appeared. This consists of a detailed exposition of the particular branches of Prussian administrative law, *viz.* foreign affairs, military affairs, the administration of justice, internal affairs and the finances. Wherever the imperial legislation has modified Prussian public law or has circumscribed the competence of the Prussian legislature, the modifications are not only noticed, but are quite elaborately treated ; with the result that the book is really more ambitious in purpose than its title would indicate. It is a treatise on Prussian administrative law, and on imperial administrative law so far as that affects Prussian administrative law. Especially interesting is the *Anhang* devoted to the recent imperial socialistic legislation, in which is contained a full description, from the legal rather than from the economic point of view, of the working-men's insurance legislation.

Another interesting chapter is that devoted to the budget. The consequence of a failure on the part of the legislature to vote the budget is discussed at great length and with much ability. The subject is one not only of theoretical but also of great practical importance, the uncertainty of the constitutional provisions relative to it having led to the great constitutional conflict of 1860–65. Dr. Bornhak, while approving the general course of the ministry on this occasion, is of the opinion that the method adopted to attain the desired end was not the right one. He thinks that the provision of the Prussian constitution which permits the executive, in case of unexpected conditions, to issue what are termed *Notverordnungen* was a sufficient authorization to it to order the necessary expenses of the government to be paid. This view in-

volves a very wide interpretation of the power granted, and is not held by Prussian jurists generally. It is, however, fully in accord with the general monarchical and conservative spirit which pervades all Dr. Bornhak's work. From the juristic point of view it would seem to be more capable of justification than the view of Gneist. The latter considers it to be the first duty of the crown to carry on the government. He is of the opinion that if the legislature or if one house thereof refuses to vote the budget, the executive may not on that account allow the public weal to suffer, but must order the payment of all necessary expenses, trusting to obtain indemnity from the legislature in the future. Such a theory is not really juristic at all. It transcends all legal bounds. It solves the problem rather by political science than by law. In this matter Zorn and Jellinek seem to have taken the right position. They frankly acknowledge that the law cannot solve the question, but that it must be solved by political science. But whoever may be right, Dr. Bornhak's attempt at a legal solution is both ingenious and interesting, and is not incapable of justification.

The book is provided with a full index of the entire three volumes. It completes without a doubt one of the most important works on Prussian public law which have recently appeared, and maintains the same high standard of excellence which is characteristic of all Dr. Bornhak's writings.

F. J. G.

Commentaries on the Law of Municipal Corporations. By JOHN F. DILLON, LL.D. Fourth edition, thoroughly revised and enlarged. Boston, Little, Brown & Company, 1890. — 8vo, clxxiv, vi, 1516 pp., bound in 2 vols.

From its first appearance, eighteen years ago, Judge Dillon's work has taken a foremost place in American legal literature ; and in the particular branch of which it treats, it has occupied the field without a rival. Considering the growing importance and the intricate nature of the subject, the fact that no other special American treatise on municipal corporations has come into existence is itself strong evidence of the thoroughness with which the author has performed his task. Although but nine years have passed since the publication of the third edition, yet so rapid, almost portentous, has been the development of municipal life, so numerous are the recent statutes, reported decisions and constitutional enactments relating to cities, so deep and widespread is the interest aroused in every phase of municipal history and administration, that an entire revision has for some time been needed. And I feel sure that neither the lawyer nor the general student will be disappointed in the present edition. It is a revision in the best sense of the word.